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SALT LAKE AREA OFFICE
 8180 SOUTH 700 EAST, SUITE 200
 SANDY, UTAH 84070-0562
 801.566.6633
 801.566.0750 FAX
 PATLAW@TNW.COM
 WWW.TNW.COM

U.S. MAILING ADDRESS
 P.O. Box 1219
 SANDY, UTAH 84091-1219

LAS VEGAS AREA OFFICE
 OF COUNSEL: NEIL J. BELLER †
 7408 WEST SAHARA
 LAS VEGAS, NEVADA 89117
 702.368.7767
 † ADMITTED IN NEVADA

VAUGHN W. NORTH
 M. WAYNE WESTERN
 GARRON M. HOBSON
 PETER M. DE JONGE
 CLIFTON W. THOMPSON
 STEVE M. PERRY
 WEILI CHENG, PH.D.
 DAVID R. MCKINNEY, PE.
 GARY P. OAKESON
 DAVID W. OSBORNE
 DAVID L. STOTT
 JASON R. JONES
 ERIK S. ERICKSEN, M.S.
 JOHN W. L. OGILVIE
 ALEX HAYMOND, B.S. EE
 NATHAN S. WINESETT
 ATTORNEYS

TODD B. ALDER, PH.D.
 JONATHAN M. BENNS, PH.D.
 PATENT AGENTS

AARON M. SMITH, B.S. EE
 WILLIAM T. RALSTON, PH.D. EE
 TECHNICAL CONSULTANTS
 CALVIN E. THORPE
 (1938-1999)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Re: U.S. Patent Application No. 10/664,045, Filed 9/16/03
 Inventor(s): Bruening et al.
**COMPOSITIONS AND METHODS FOR SEPARATING AMINES AND
 AMINO ACIDS FROM THEIR COUNTER-ENANTIOMERS**
 Confirmation No.: 2593
 Group Art Unit: 1625
 Attorney Docket No. 21058.NP

Dear Sir/Madam:

Transmitted herewith for filing and pursuant to 37 C.F.R. §§ 1.56 and 1.97 is a Supplemental Information Disclosure Statement.

Enclosed also are the following designated documents, as required under 37 C.F.R. §§ 1.97 and 1.98:

- ☒ Form PTO-1449 list of 1 (one) reference(s) submitted for consideration.
- ☒ Legible copies of all the listed references or their relevant portions.
- ☐ Legible copies of the listed non-patent documents and foreign documents or their relevant portions are included.
- ☐ Copies of U.S. patents and/or publications are not included pursuant to the Official Gazette Notice, dated Aug. 5, 2003, waiving the requirement of 37 C.F.R. 1.98(a)(2)(i).

- ☐ All English translations of each non-English reference, if any, within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56(c) (see 37 C.F.R. § 1.98(c)).

The following are included within the Information Disclosure Statement if applicable and as required under 37 C.F.R. § 1.98:

- ☐ Concise explanation of relevance of each reference not in English and unaccompanied by an English translation.
- ☐ Statement that certain listed references not enclosed are substantially cumulative of an enclosed reference.
- ☐ Statement that certain listed references not enclosed were previously cited by or submitted to the Office in the identified prior application which is relied upon for an earlier filing date under 35 U.S.C. § 120.

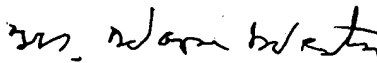
In order to secure consideration of the items designated above, one or more of the following, if required, is also enclosed:

- ☐ Statement under 37 C.F.R. § 1.97(e)(1) or (2).
- ☐ Check No. _____ in the amount of \$180.00 (amount in § 1.17(p)) constituting the submission fee set forth in 37 C.F.R. § 1.17(p).

In the event that 37 C.F.R. § 1.97(c) applies and the Examiner is not satisfied that the Statement meets the requirements of 37 C.F.R. § 1.97(e), or in any other event remediable by a fee, please credit any over payment or charge any additional fees to Deposit Account No. 20-0100 of the undersigned.

Dated this 19th day of May, 2004.

Respectfully submitted,



M. Wayne Western
Attorney for Applicant
Registration No. 22,788


THORPE NORTH & WESTERN, LLP
Customer No. 20,551
P.O. Box 1219
Sandy, Utah 84091-1219
Telephone: (801) 566-6633


MWW/GPO/em
Enclosures



PATENT APPLICATION
Attorney Docket No.: 21058.NP

IN THE UNITED STATES PATENT & TRADEMARKS OFFICE

ART UNIT: 1625	SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97
APPLICANT: Bruening et al.	
SERIAL NO.: 10/664,045	CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8 DATE OF DEPOSIT: <u>5/19/04</u> I hereby certify that this paper or fee (along with any paper or fee referred to as being attached or enclosed) is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  Emily Mechem
FILED: 9/16/03	
CONFRM. NO.: 2593	
FOR: COMPOSITIONS AND METHODS FOR SEPARATING AMINES AND AMINO ACIDS FROM THEIR COUNTER-ENANTIOMERS	
ATTORNEY DOCKET NO. 21058.NP	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). Applicant respectfully submits that this Information Disclosure Statement is filed pursuant to:

- ☒ 37 C.F.R. § 1.97 (b)(1) or (3), within three months of the filing date of the application, or before a first office action on the merits, whichever occurs last;
- ☐ 37 C.F.R. § 1.97 (c), after a first office action on the merits, but before a Final Office Action or a Notice of Allowance, whichever occurs first, and is accompanied by either 1) a statement in accordance with 37 C.F.R. § 1.97(e), or 2) the fee set forth in § 1.17(p); or
- ☐ 37 C.F.R. § 1.97 (d), after a Final Office Action or Notice of Allowance, whichever occurs first, but on or before payment of the issue fee, and is accompanied by both 1) a statement in accordance with 37 C.F.R. § 1.97(e), and 2) the fee set forth in § 1.17(p).

While no representation is made that any of these references may be "prior art" within the meaning of that term in accordance with 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the references listed, together with any other references which may have been previously submitted or listed, are the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

☒ In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each listed reference (or relevant portion thereof) which was not previously submitted to, or cited by, the Patent Office is also enclosed.

☐ Legible copies of the listed non-patent literature and foreign documents or their relevant portions. Copies of U.S. patents and/or publications are NOT included pursuant to the Official Gazette Notice, dated Aug. 5, 2003, waiving the requirement of 37 C.F.R. 1.98(a)(2)(i).

☐ The references listed in the accompanying Form PTO-1449 are NOT enclosed because, under 37 C.F.R. § 1.98(d), they were previously cited by or submitted to the Office in application number _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120.

For all listed references that are not either in the English language, or accompanied by a translation into English, a concise explanation of relevance as required under 37 C.F.R. § 1.98(a)(3) is enclosed attached to each.

Please charge any additional fees or credit any overpayment to Deposit Account No. 20-0100.


Dated this 19th day of May, 2004.

Respectfully submitted,

M. Wayne Western
Attorney for Applicant
Registration No. 22,788

THORPE NORTH & WESTERN, LLP
Customer No. 20,551
P.O. Box 1219
Sandy, Utah 84091-1219
Telephone: (801) 566-6633


MWW/GPO/em

	PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. 21058.NP	SERIAL NO. 10/664,045
	LIST OF PRIOR ART CITED BY APPLICANT			
	APPLICANT Bruening et al.		FILING DATE 9/16/03	GROUP 1625

U.S. PATENT DOCUMENTS

EXAMINER INITIALS		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A1						
	A2						
	A3						
	A4						
	A5						
	A6						
	A7						
	A8						
	A9						
	A10						
	A11						
	A12						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIALS		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	A13						
	A14						
	A15						
	A16						
	A17						

OTHER PRIOR ART (Including Author, Title, Pertinent Pages, Etc.)

	A18	Singh, Harjit, Subodh Kumar, Anupa Jain and Paramjit Singh, "Synthetic Ionophores. Part 4. Phase Transfer - catalysed Synthesis of Pyridine-containing Macrocycles and Their Ionophore Character, J. CHEM SOC. PERKIN TRANS. 1 1990.
	A19	
	A20	
EXAMINER		DATE CONSIDERED
<p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication with applicant.</p>		